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26(f) Joint Status Report Page | - 1 -

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROBERT KESSLER,

Plaintiff,

-VS-

DIRK M. MAYBERRY INC., et al.,

Defendants.

Cause No. 2:21-cv-0755-TLF

JOINT STATUS REPORT AND DISCOVERY PLAN UNDER FED.R.CIV.P. 26(f)

Pursuant to the Court's Order of March 23, 2021 (DE 9), the discovery conference contemplated by Rule 26(f)(1)-(2), F.R.Civ.P., has been conducted in the above-entitled matter. M. William Judnich participated on behalf of the Plaintiff and Mark Perez participated on behalf of the joint Defendants via telephone. The parties have discussed the nature and basis of their claims and defenses, the possibilities for a prompt settlement or resolution of this case and the development of a proposed discovery plan. After conferring about these matters, counsel for the respective parties agree to the following proposed discovery plan in conformance with Rule 26(f)(3)(A-F):

Enabled Law Group P.O. Box 4523 Missoula, MT 59806 (406) 493-1084

- 1. This case involves a discrimination action brought under Title III of the Americans with Disabilities Act pursuant to 42 U.S.C. § 12101. The complexity of the case centers around expert ADA inspections of the premises in question and how/if the premises complies with all applicable architectural standards for accessible design as required by the ADA. The Plaintiff has retained an expert to inspect the Premises.
 - 2. A date of February 4, 2022 has been agreed to for joining any parties.
- 3. Yes. Both parties agree to this Magistrate to conduct all proceedings in this case.
 - 4. A notice of related cases has been filed by Plaintiff.
- 5. All Initial disclosures under Rule 26(a)(1)(A)(i)-(iv), F.R.Civ.P., shall be served (not filed) by the parties on or before March 4, 2022. The parties do not anticipate other changes to the disclosures under Rule 26(a).
 - 6. No changes
 - 7. No changes to phasing of discovery.
 - 8. No agreements needed.
 - 9. Does not involve ESI.
 - 10. No unique or extensive claims of protection.
 - 11. No procedures necessary.
 - 12. No changes.

| 1 | 13. Discovery to be completed by June 3, 2022. | | |
|----|--|---|--|
| 2 | 14. | 14. Not necessary. | |
| 3 | | | |
| 4 | 15. None beyond settlement conference. | | |
| 5 | 16. | 16. September, 2022. | |
| 6 | 17. | Jury trial | |
| 7 | 18. | 4 days for trial | |
| 8 | 10. | 10. 4 days for that | |
| 9 | 19. | 19. To be filed by initial disclosure date. | |
| 10 | This Joint Discovery Plan has been jointly filed by all parties. | | |
| 12 | DATED this 21st day of January, 2022. | | |
| 13 | | • | |
| | | K | espectfully submitted, |
| 14 | | 7. | / A |
| 15 | | | M. William Judnich M. William Judnich |
| 16 | | | SBA #56087 |
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